

REMARKS

Claims 5-11 were pending in the present application. The applicant respectfully requests reconsideration and allowance of the present application in view of the following remarks.

Claim 5 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Yokota, U.S. Patent No. 6,587,787 B1. The rejection is otherwise respectfully traversed.

In making the rejection of claim 5, the Examiner asserts that Yokota discloses features thereof including, for example, display control means *for differentiating a font type for the characters indicating an operating item to be highlighted from a font type for the characters indicating remaining operating items*, when various kinds of operating items for operating the navigation apparatus are displayed in the display screen by using the plural types of fonts stored in the character data storing means. In characterizing Yokota, and apparently the language of the claims, the Examiner has indicated that Yokota fails to teach or suggest that highlighted items are in bold face and takes notice that it would have been well known to put words in bold face. Applicant again respectfully disagrees with the Examiner's characterization of Yokota and the claimed invention. Applicant further submits it is improper to isolate one aspect of the invention, characterize that item in general terms, e.g. to put a word in bold face, and simply assert it would have been well known. Applicant seasonably challenges the taking of Official Notice and requests that proper art or evidence be provided for the record. In particular, since the Examiner has admitted that Yokota fails to teach or suggest the claimed feature, the taking of Official Notice is the principal evidence upon which the rejection is based which is "never appropriate" (see, e.g. MPEP 2144.03 Eight Edition citing *In re Zurko*, 258 F.3d 1385, 59 USPQ2d 1697 (Fed. Cir. 2001)).

A close review of Yokota reveals only a description of font sizes and font styles associated for different geographic based on position category and class of data displayed. In

particular, Yokota describes that state names are easily distinguished from municipality and/or county names and so that municipality and/or county names are distinguishable from street names in a display. Yokota even describes a menu display by way of a remote controller in col. 6, line 4-8 and 14-15. However, despite Yokota's clear focus on providing visual distinction between state names, municipality names and the like, no description is provided of changing visual styles of the displayed menu items. Such a deficiency is compelling evidence of non-obviousness in and of itself.

Thus, again, as essentially admitted by the Examiner, Yokota fails to teach or suggest, for example, the feature of differentiating a font type for the characters indicating an operating item to be highlighted from a font type for the characters indicating remaining operating items. Reference can be made to Fig 6 of Applicant's specification and the attendant description, for example in the paragraph beginning on page 11, line 19, to better understand this distinction. In accordance with the present invention, the operating item to be highlighted can be clearly visually distinguished from the other operating items. Applicant further submits that the claimed invention cannot be characterized simply as putting a word in bold type, but rather, in accordance with the explicit language of the claims and the invention as a whole. Thus the claimed invention specifically includes a display control means for differentiating a font type for the characters indicating an operating item to be highlighted from a font type for the characters indicating remaining operating items, when various kinds of operating items for operating the navigation apparatus are displayed in the display screen by using the plural types of fonts stored in the character data storing means.

Accordingly, for at least the reasons set forth hereinabove, a *prima facie* case of obviousness has not properly been established in that the applied art combination fails to teach or

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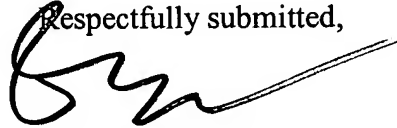
suggest all the claimed features as required. It is respectfully requested that the rejection of independent claim 5 be reconsidered and withdrawn.

Although the allowability of claims 6-11 is again noted with appreciation, claims 6-11 by virtue of depending from independent claim 5, are allowable for at least the reasons set forth hereinabove. It is respectfully requested therefore that the opportunity to rewrite claims 6-11 is respectfully reserved pending reconsideration of the remarks provided herein.

In view of the foregoing, the applicant respectfully submits that the present application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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